

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

_____	)	
UNITED STATES OF AMERICA,	)	
	)	
	)	CRIMINAL ACTION
vs.	)	NO. 03-1764-CBS
	)	(See also, U.S. District
JERMALL BUTLER,	)	Court, Northern District
Defendant,	)	of New York,
_____	)	Case No. 03-CR-127-LEK)

ORDER  
December 30, 2003

SWARTWOOD, M.J.

1. Rule 20 Transfer

Jermall Butler ("Mr. Butler") was arrested in this District in connection with an indictment that was returned in the United States District Court, Northern District of New York, charging Mr. Butler, in Count One, with being a federal inmate with knowingly possessing heroin in violation of 18 U.S.C. §1791(a)(2) and (b)(1) and in Count Two, with being a federal inmate and possessing marijuana in violation of 18 U.S.C. §1791(a)(2) and (b)(3).

Mr. Butler first appeared before me on September 30, 2003, in connection with the Indictment returned in the Northern District of New York.

Counsel for the parties had informed me that they were attempting to complete a Rule 20 transfer to this District and at a status conference held on December 30, 2003, I was informed that both U.S. Attorneys for the Northern District of New York and the District of Massachusetts and Mr. Butler are in agreement that this case will be transferred to this District for disposition. However, counsel for the Government has requested a continuance in order to complete the necessary paperwork for completing a Rule 20 transfer of this case to this District. I have granted that request.

2. Further Status Conference

A further status conference shall be held in this case on February 2, 2004, at 10:00 a.m., in Courtroom 16, Fifth Floor, John Joseph Moakley United States Courthouse, 1 Courthouse Way, Boston, Massachusetts.

3. Excludable Time

With assent of counsel for the parties, I am excluding from the Speedy Trial Act, the period from December 16, 2003 (date of expiration of prior order of excludable time) through February 2, 2004 (date by which a Rule 20 transfer will be completed). Therefore, assuming no further order of excludable time under the plan for prompt disposition of criminal cases, this case must be tried on or before Monday, April 12, 2004.

/S/CHARLES B. SWARTWOOD, III  
CHARLES B. SWARTWOOD, III  
MAGISTRATE JUDGE